

UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA

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ANTHONY FINLEY,

Petitioner,

v.

GREG SMITH, et al.,

Respondents.

Case No. 3:13-cv-00062-MMD-VPC

ORDER


Petitioner Anthony Finley has filed a second application to proceed *in forma pauperis* and a motion for reconsideration (dkt nos. 4 and 5). Based on the information contained in the motion for leave to proceed *in forma pauperis* (dkt. no. 4), the Court finds that petitioner is able to pay the required \$5 filing fee. The motion shall be denied.

Petitioner's motion for reconsideration shall be construed as a motion for extension of time. The Court previously directed petitioner to file an amended petition supplying certain crucial information that was missing from the original petition. Petitioner advises the Court that he is having difficulty obtaining the necessary documents to provide the information, as prison regulations have stalled receipt of the copies of his legal file, because they were mailed to him by his sister, rather than by his attorney. Additional time to obtain the information will be granted.

IT IS THEREFORE ORDERED that the motion for leave to proceed *in forma pauperis* (dkt. no. 4) is DENIED. Petitioner shall have thirty (30) days from entry of this Order to pay the \$5 filing fee.

1 IT IS FURTHER ORDERED that the motion for reconsideration (dkt . no. 5) is  
2 GRANTED. Petitioner shall have thirty (30) days from the date of entry of this Order to  
3 submit his amended petition which must include the dates requested and copies of the  
4 state court orders or an explanation as to why that information has been omitted. The  
5 failure to timely do as directed in this order may result in the dismissal of this action. The  
6 Clerk shall retain the petition but not file it at this time.

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8 DATED THIS 4<sup>th</sup> day of March 2013.

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11 MIRANDA M. DU  
12 UNITED STATES DISTRICT JUDGE  
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